

City of Cranston  
Zoning Board of Review  
Application

Application for exception or variation under the zoning ordinance "City of Cranston Zoning Code, December 1994 Edition as amended."

To: Cranston Zoning Board of Review  
35 Sockanosset Crossroad Suite 6  
Cranston, RI 02920

Date: 6-8-2022

THE UNDERSIGNED HEREBY APPLIES TO THE ZONING BOARD OF REVIEW FOR AN EXCEPTION OR A VARIATION IN THE APPLICATION OF THE PROVISIONS OR REGULATIONS OF THE ZONING ORDINANCE AFFECTING THE FOLLOWING DESCRIBED PREMISES IN THE MANNER AND ON THE GROUNDS HEREINAFTER SET FORTH.

OWNER: Carlson Reality LLC

ADDRESS: 275 Niantic Avenue, Cranston, RI ZIP CODE: 02907

APPLICANT: Patrick Knox

ADDRESS: 371 Angell Rd Lincoln RI ZIP CODE: 02865

LESSEE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

1. ADDRESS OF PROPERTY: 1540 Elmwood Ave

2. ASSESSOR'S PLAT #: 4/2 BLOCK #: \_\_\_\_\_ ASSESSOR'S LOT #: 2203 WARD: 1

3. LOT FRONTAGE: 45.37' LOT DEPTH: 121.42' LOT AREA: 4420 sq ft

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: C-5 10,000 sq ft 35'  
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: 2.5 stories PROPOSED: same

6. LOT COVERAGE, PRESENT: 54.3% PROPOSED: same

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 8/30/2019

8. ARE THERE ANY BUILDINGS ON THE PREMISES AT PRESENT? yes

9. GIVE SIZE OF EXISTING BUILDING(S): 26' x 40' +/-

10. GIVE SIZE OF PROPOSED BUILDING(S): same

11. WHAT IS THE PRESENT USE? Mixed use (commercial & residential dwelling unit)

12. WHAT IS THE PROPOSED USE? Two family dwelling unit

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: two

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS:

convert existing mixed use building with a residential unit into a two family dwelling unit  
Convert former restaurant/bar on 1st floor to dwelling

15. HAVE YOU SUBMITTED PLANS TO THE BUILDING OFFICIAL? yes

16. WERE YOU REFUSED A PERMIT? yes

17. PROVISION OR REGULATION OF THE ZONING ORDINANCE OR STATE ENABLING ACT UNDER WHICH APPLICATION FOR EXCEPTION OR VARIANCE IS MADE.

17.20.030 (schedule of uses); 17.20.120 (schedule of intensity regulations);  
17.64.010 (off street parking); 17.88.030 (extension); 17.88.040 (change of use); 17.88.050  
(structural alterations); 17.92.010 (variances) and all other applicable sections of zoning code.

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: Owner desires to convert existing bar/tavern to a dwelling unit with existing unit on 2nd floor. Subject property with limited parking is not suitable for commercial use. Building while in a C-5 zone is more appropriate for a residential use.

SIGNATURE OF APPELLANT(S) AND ATTORNEY (IF APPLICABLE) IS REQUIRED AND MUST BE LEGIBLE.

RESPECTFULLY SUBMITTED,

Merald Carlson  
(OWNER SIGNATURE)

401-944-4444  
(PHONE NUMBER)

(OWNER SIGNATURE)

(PHONE NUMBER)

Patricia M. Fox  
(APPLICANT SIGNATURE)

401-269-6548  
(PHONE NUMBER)

(LESSEE SIGNATURE)

(PHONE NUMBER)

Fred A. Marzilli (2266)  
(ATTORNEY SIGNATURE)

401-434-5887  
(PHONE NUMBER)

Frederic A Marzilli  
(ATTORNEY NAME-PLEASE PRINT)

ATTORNEY ADDRESS: 685 Warren Ave E. Providence RI 02914

PRE-ZONING APPLICATION MEETING:

(PLANNING DEPT. SIGNATURE)

(DATE)

**CARLSON REALTY LLC**  
1540 Elmwood Avenue  
Cranston, RI 02910

AP 4/2 Lot 2203

**PROJECT NARRATIVE**

Carlson Realty, LLC acquired the property at 1540 Elmwood Avenue in August, 2019. The property is a mixed use property containing a former restaurant/bar on the first floor and a second floor dwelling unit.

The property has existed as a legal nonconforming legal structure and use since the 1950's. The building is presently vacant pending a determination from the Zoning Board of Review on the requested relief.

The subject lot is Lot No. 2203 on Cranston Assessor's Plat 4/2. The lot is zoned C-5 (heavy business, industry) under the zoning code and contains approximately 4,420 square feet.

The applicant proposes no exterior renovations to the building. The interior work will include converting the first floor to a dwelling unit with the second dwelling unit to occupy the second and third floor.

The easterly side of Elmwood Avenue along the street in a north and south direction is predominantly commercial and industrial uses and is also zoned C-5. Further to the east behind the subject property are single family uses in an A-6 zoning district. The westerly side of Elmwood Avenue are industrial uses in a M-2 zone.

Certain zoning relief will be necessary from the Cranston Zoning Board of Review including a variances for expansion of the non-conforming residential use and the existing structure which dominates the required setbacks.

17.20.010 (Schedule of uses)

Multifamily or residential units are not permitted in the C-5 zone and expansion of the current non-conforming use will require a use variance.

17.20.120 (Schedule of intensity regulations)

Dimensional variance is needed.

Existing lot is undersized for the C-5 zone with 4,420 sq. ft. instead of 10,000 sq. ft.  
Existing lot has restricted street frontage with 45.47' instead of 80'.  
Existing front set back ranges from 0 to 7" instead of 30'.  
Existing side setback is 0 instead of 8'.

17.64.010 Off Street Parking

Dimensional variance is need for design and layout of off street parking.

17.88.030 Extension

Within a building a nonconforming use shall not be extended except into any portion of the building which was arranged or designed for such nonconforming use at the time of the passage of this chapter.

17.88.040 Change of use

A nonconforming use shall not be changed to another nonconforming use. A nonconforming use, if changed to a conforming use, may not thereafter be changed back to a nonconforming use.

17.88.050 Structural alterations

A nonconforming building, excepting churches and other buildings used in connection with religious or educational activities, may not be reconstructed or structurally altered during its life unless such building is changed to a conforming use.

17.92.010 Variance for use and dimensional relief

Multifamily dwellings are not a permitted use in the C-5 zone.

**CARLSON REALTY LLC**  
**1540 Elmwood Avenue**  
**Cranston, RI 02910**

**AP 4/2 Lot 2203**

**ZONING ANALYSIS**  
**400' RADIUS**

**Types of Uses on Parcels**

**C-5 Commercial**

Industrial	1
Business	11
Mixed Use	3
Single Family	2
Two Family	3
Railroad	1 (split zone with A-6)
Undeveloped	4

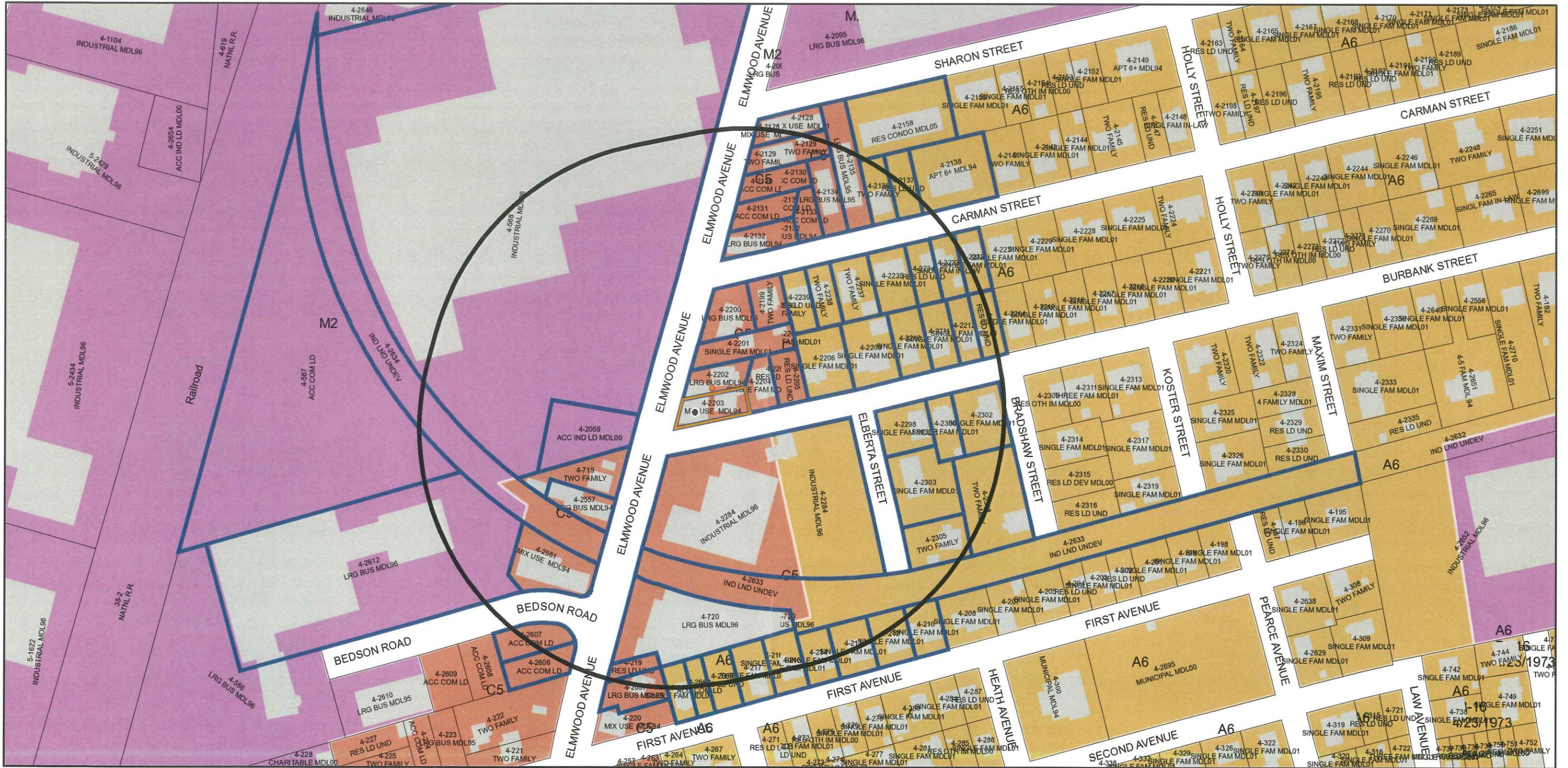
**A-6 Residential Zone**

Single Family	17
Two Family	7
Residential Condo	1
Multifamily Apt	1
Industrial	1
Undeveloped	5

**M-2 Industrial**

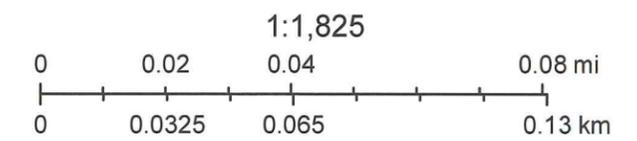
Industrial	4
Railroad	1

# 1540 Elmwood Ave 400' Radius Plat 4 Lot 2203



6/3/2022, 11:30:21 AM

- |                   |                           |    |    |       |
|-------------------|---------------------------|----|----|-------|
| Parcel ID Labels  | Historic Overlay District | A8 | C3 | MPD   |
| Streets Names     | <b>Zoning</b>             | A6 | C4 | S1    |
| Cranston Boundary | none                      | B1 | C5 | Other |
| Parcels           | A80                       | B2 | M1 |       |
| Buildings         | A20                       | C1 | M2 |       |
| Zoning Dimensions | A12                       | C2 | E1 |       |



City of Cranston

**REFERENCES:**

CITY OF CRANSTON, CLERK'S OFFICE  
 PLAT CARD 237 ENTITLED  
 "ELMWOOD GARDENS"  
 DEED BOOK 5825, PAGE 165

**ZONING NOTES:**

ALL LOTS SHOWN ARE LOCATED IN A C-5 ZONE.

**C-5 ZONING REQUIREMENTS:**

AREA	10,000 S.F. MIN.
FRONTAGE	80' MIN.
FRONT SETBACK	30' MIN.
REAR SETBACK	20' MIN.
SIDE SETBACK	8' MIN.
BLDG. HEIGHT	35' MAX.
LOT COVERAGE	60% MAX.

**PARKING NOTES:**

All Parking Shown is Existing and Witnessed on the Date of Survey, July 25, 2020.

- 9 Ft. x 18 Ft. Spaces = 1 Total
- 11 Ft. x 18 Ft. Spaces = 2 Total
- 12 Ft. x 20 Ft. Garage Space = 1 Total
- Total # of Parking Spaces = 4

**FEMA INFO:**

ALL LOTS ARE LOCATED WITHIN A DESIGNATION "X" ( AREAS OF MINIMAL FLOODING ) ZONE PER F.I.R.M. 44007C0318H, 10/02/2015.

**CERTIFICATION:**

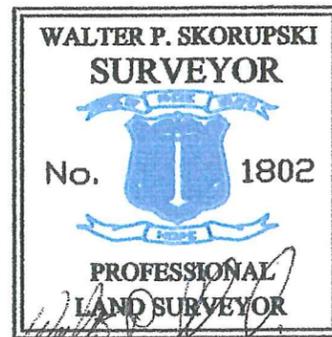
This Survey has been conducted and the Plan prepared pursuant to Section 9 of the Rules and Regulations adopted by the Rhode Island Board of Registration for Professional Land Surveyors.

LIMITED CONTENT BOUNDARY SURVEY & SITE FEATURES – CLASS III

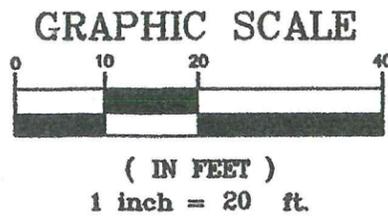
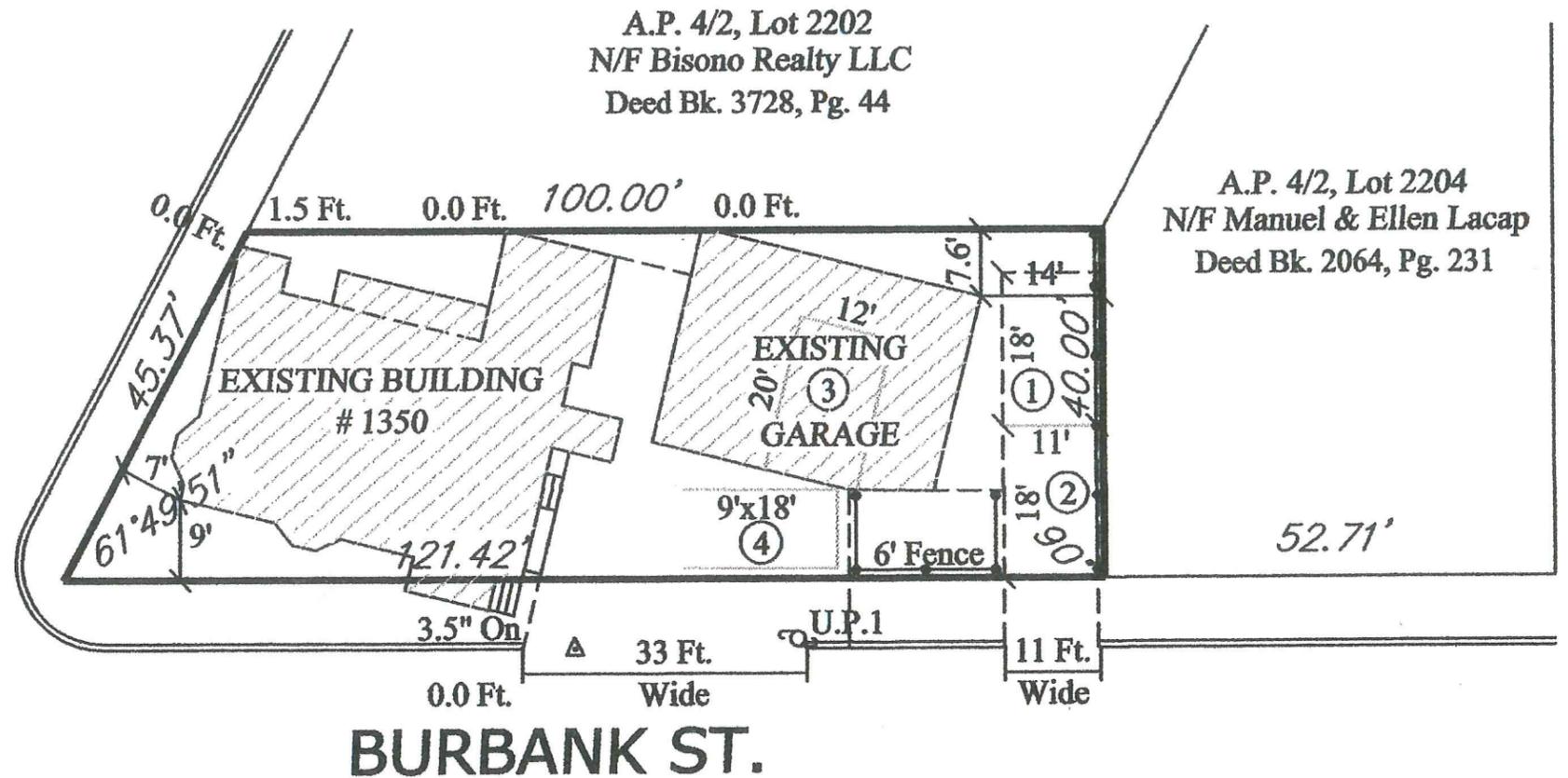
The Purpose and the Conduct of the Survey and for the Preparation of the Plan is as Follows:

To Demonstrate the Location and Dimensions of Existing Site Features, Buildings and Perimeter Property Lines at 1540 Elmwood Ave. City of Cranston, A. P. 4/2, Lot 2203.

*Walter P. Skorupski*  
 Walter P. Skorupski  
 Registered Professional Land Surveyor  
 LS A378-COA  
 8/9/2020  
 Date



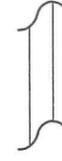
ELMWOOD AVE.

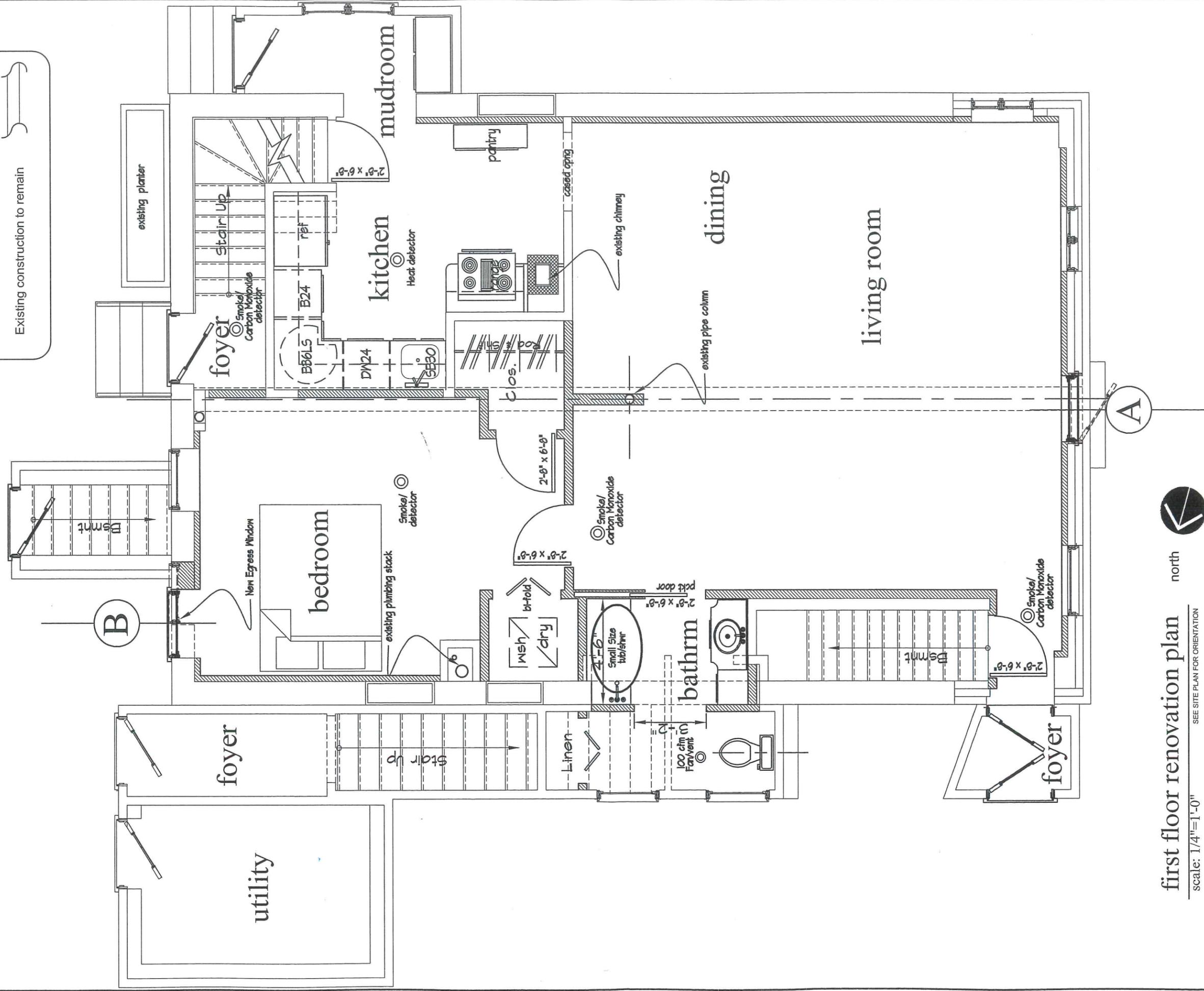


Owner:  
 Carlson Realty LLC  
 275 Niantic Avenue  
 Cranston, R.I.02907  
 July, 2020

**EXISTING SITE PLAN**  
 CITY OF CRANSTON  
 1540 ELMWOOD AVENUE  
 ASSESSOR'S PLAT 4/2  
 LOT 2203

**Wall Renovation Key**

-  New construction
-  Construction to be removed
-  Existing construction to remain



first floor renovation plan

scale: 1/4"=1'-0"

SEE SITE PLAN FOR ORIENTATION



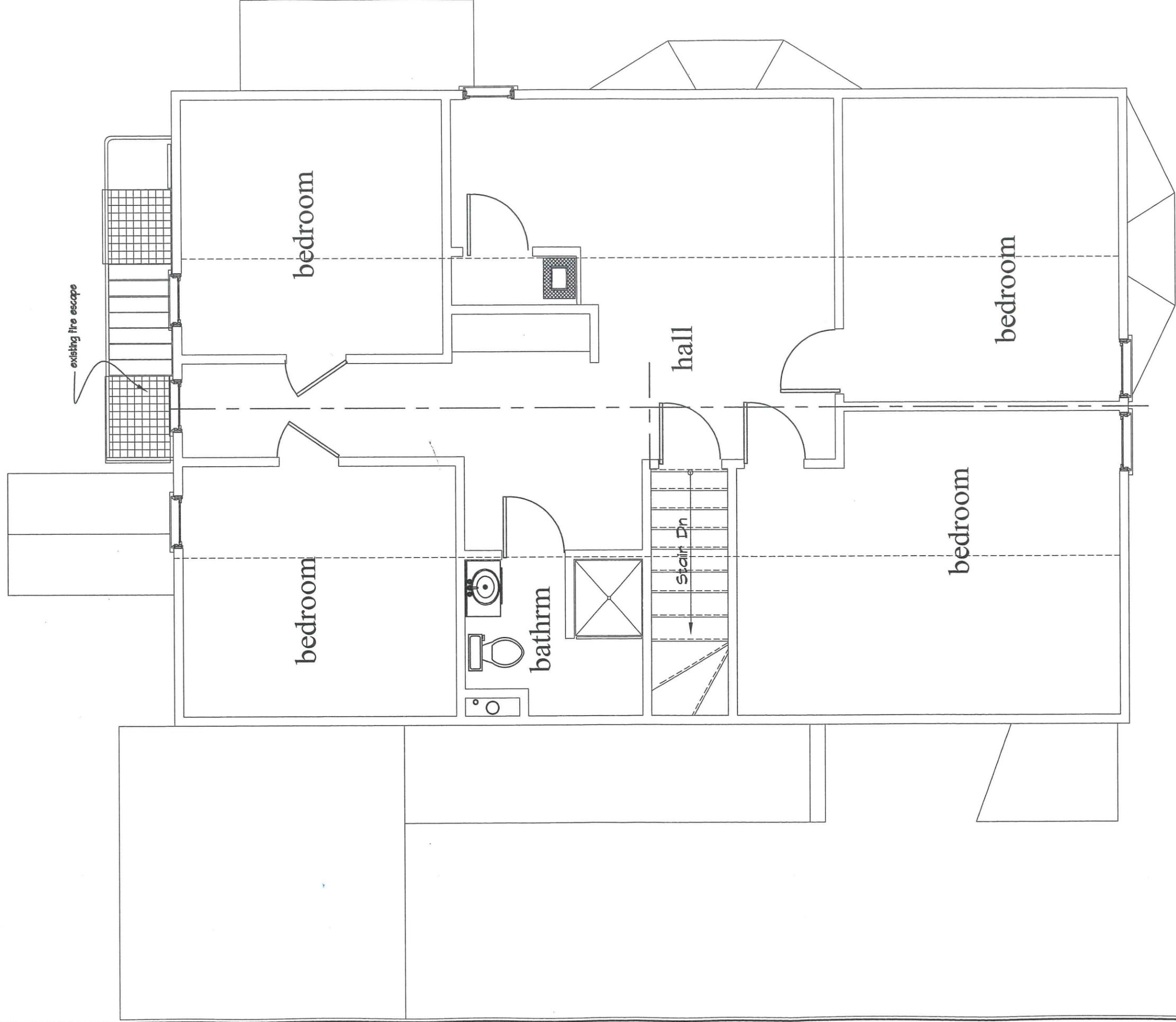
north

1540 Elmwood Avenue

1540 Elmwood Avenue  
Cranston, Rhode Island  
AP. 4/2 LOT 2203

A-1





third floor existing plan

scale: 1/4"=1'-0"

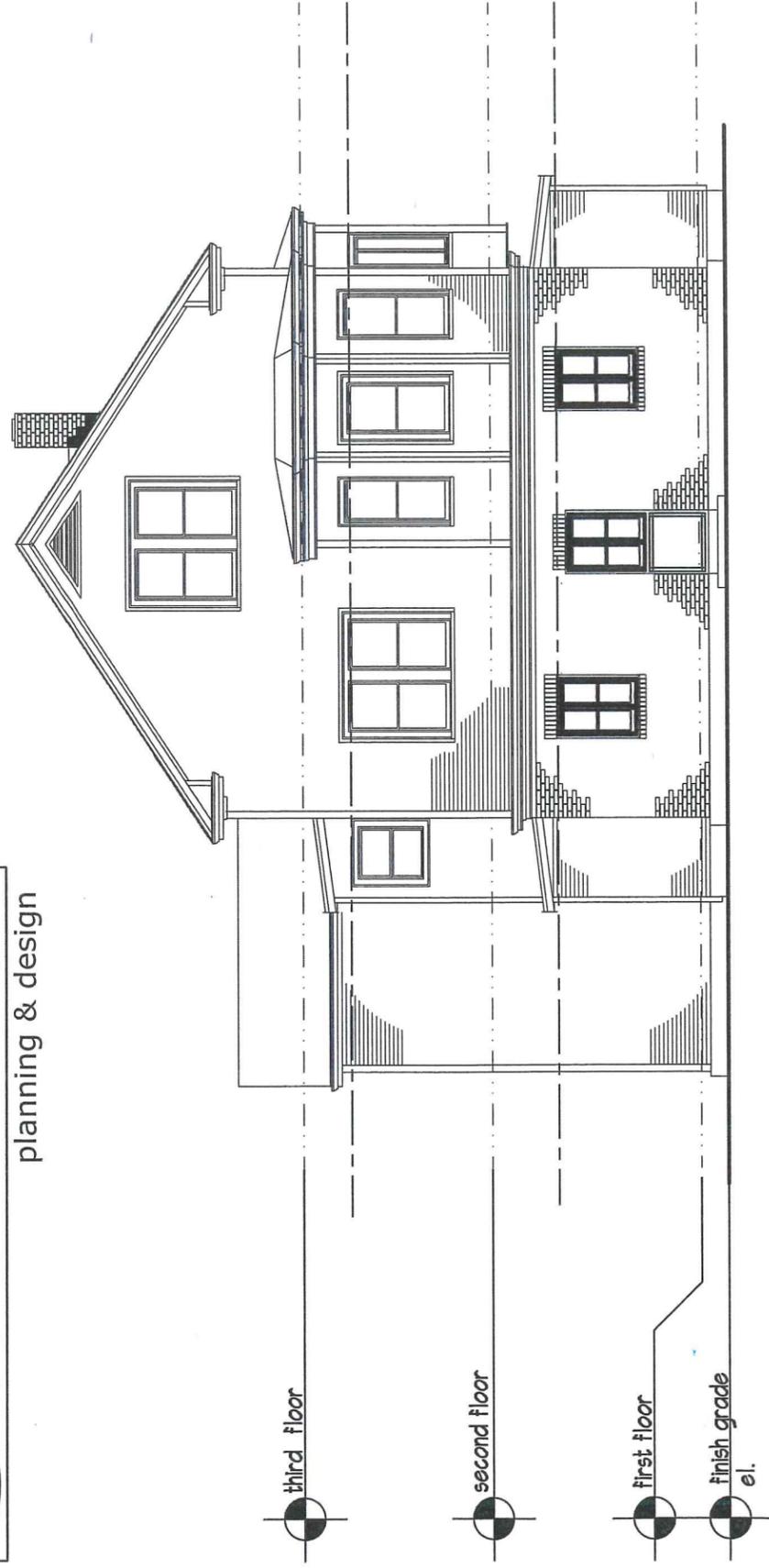


north

1540 Elmwood Avenue

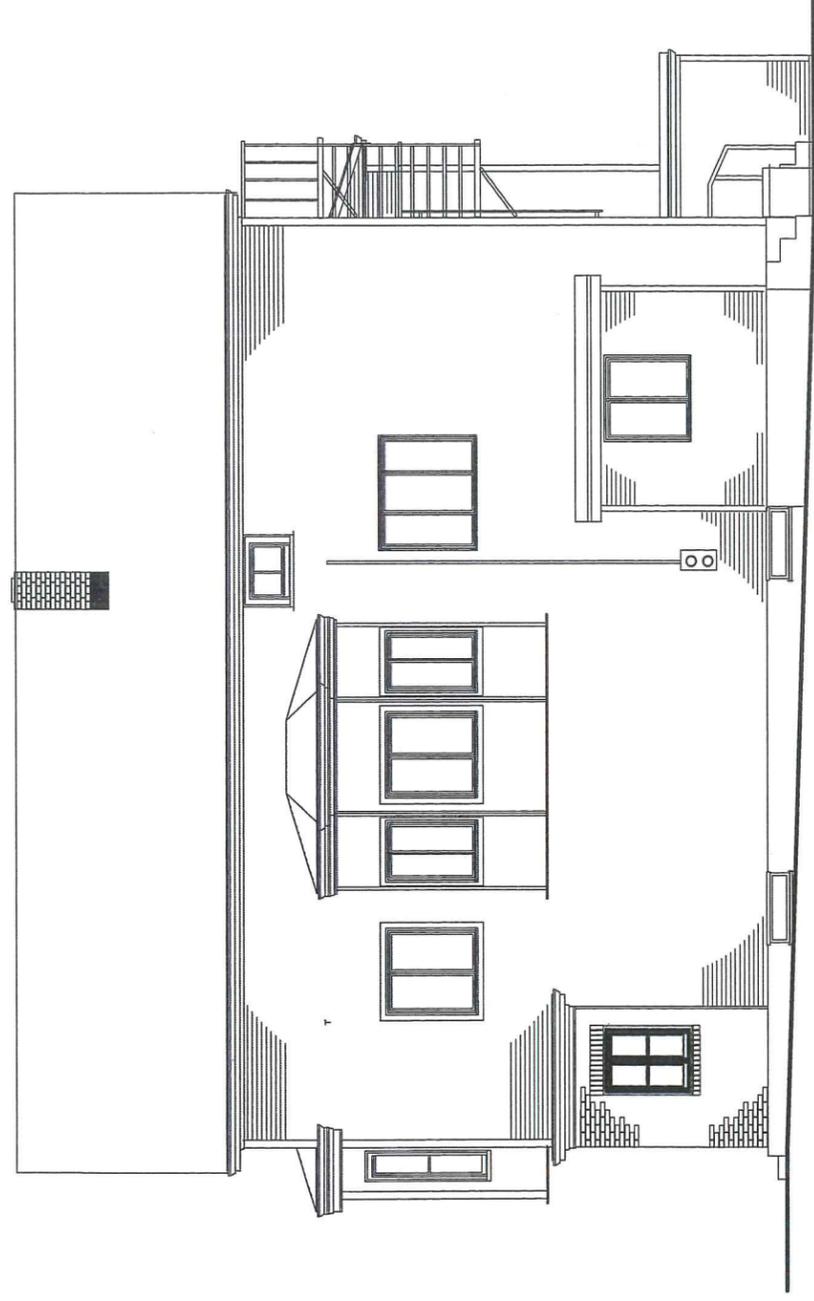
1540 Elmwood Avenue  
Cranston, Rhode Island  
AP. 4/2 LOT 2203

A-3



front elevation

scale: 1/8"=1'-0"



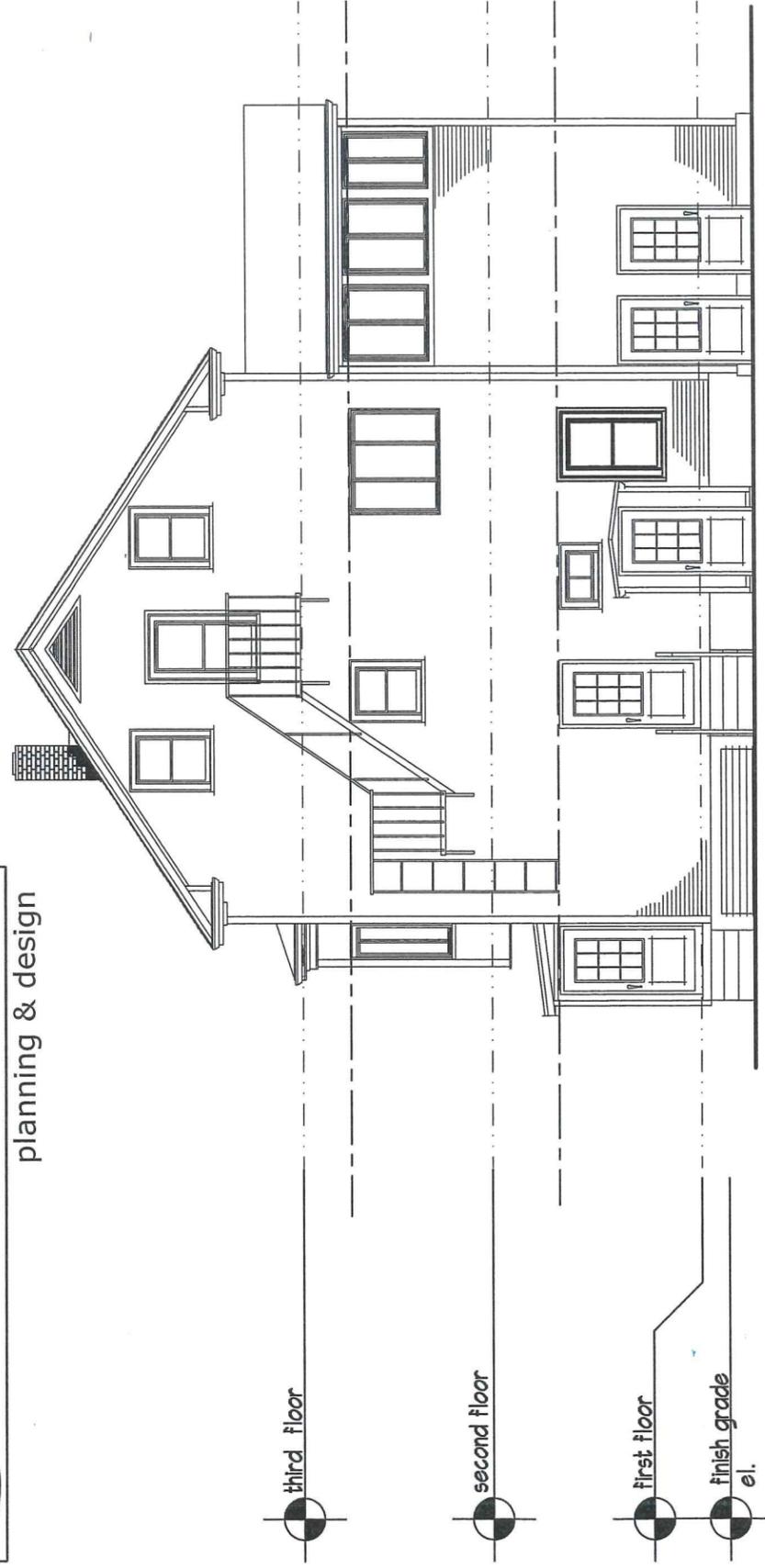
side elevation

scale: 1/8"=1'-0"

1540 Elmwood Avenue

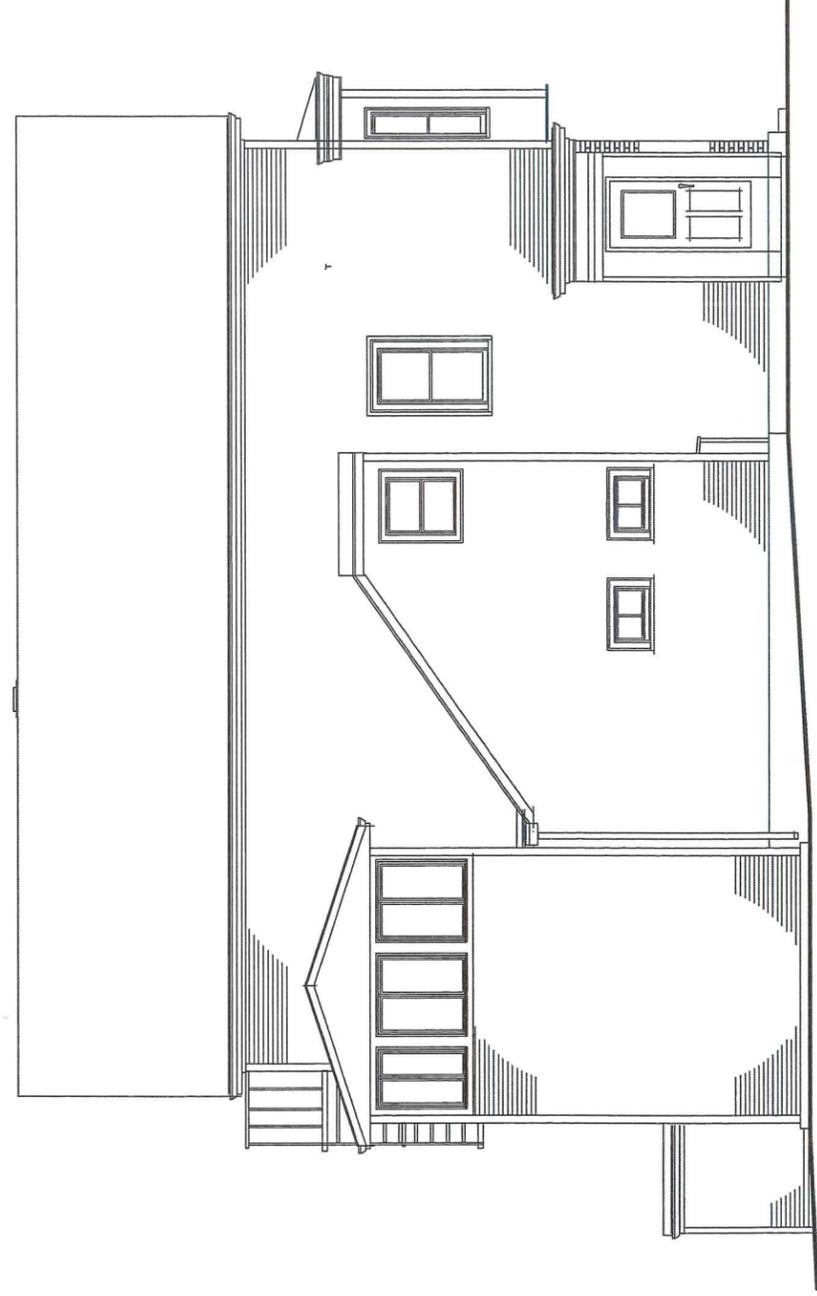
1540 Elmwood Avenue  
Cranston, Rhode Island  
AP. 4/2 LOT 2203

A-4



rear elevation

scale: 1/8"=1'-0"

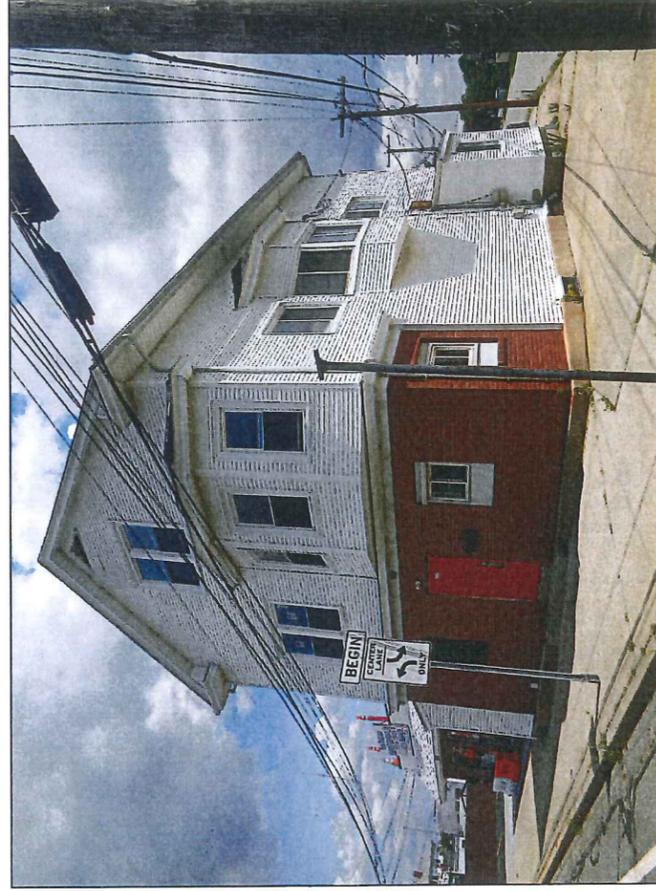


side elevation

scale: 1/8"=1'-0"



Elmwood Avenue View



Elmwood Avenue View



Burbank Street View

1540 Elmwood Avenue

1540 Elmwood Avenue  
Cranston, Rhode Island  
AP. 4/2 LOT 2203

AP-1